

Message Text

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ACTION AF-10

INFO OCT-01 ISO-00 HA-05 IO-13 /029 W

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FM AMEMBASSY MONROVIA

TO SECSTATE WASHDC 858

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DEPARTMENT PASS AF/I

E.O. 11652: N/A

TAGS: SHUM, LI

SUBJECT: 1978 HUMAN RIGHTS COUNTRY REPORT

SUMMARY: LIBERIA IS THE OLDEST REPUBLIC IN AFRICA. FOUNDED IN 1822 BY BLACKS SEEKING THE FUNDAMENTAL HUMAN RIGHTS DENIED THEM IN THE UNITED STATES, LIBERIA HAS HAD STRONG CULTURAL AND POLITICAL TIES TO THE U.S. THE LIBERIAN CONSTITUTION OF 1847 CLOSELY FOLLOWS THE AMERICAN PATTERN OF ITS SEPARATION OF POWERS AND ITS PROTECTION OF FUNDAMENTAL INDIVIDUAL LIBERTIES. SUBSEQUENT AMENDMENTS HAVE SERVED TO REINFORCE THESE AREAS. LIBERIANS HAVE SUCCESSFULLY DEFENDED THEIR DEMOCRATIC SYSTEM DESPITE THE STRESSES OF HISTORY.

UPON THE ELECTION OF PRESIDENT WILLIAM V.S. TUBMAN, LIBERIA BEGAN TO ADDRESS THE PROBLEM OF THE DIVISION BETWEEN THE DESCENDENTS OF THE SETTLERS AND THE ORIGINAL INHABITANTS. THE "UNIFICATION POLICY" HAS MANAGED IN THE PAST THIRTY YEARS TO ALTER SUBSTANTIALLY SOCIETAL PATTERNS IN LIBERIA AND TO DEFUSE A POTENTIALLY EXPLOSIVE SCHISM.

WITH THE ACCESSION TO POWER OF PRESIDENT WILLIAM R.

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TOLBERT, JR., THE GOVERNMENT HAS INCREASED ITS EFFORTS TO PROMOTE DEVELOPMENT THROUGHOUT THE COUNTRY AND HAS GIVEN ADDED IMPETUS TO EFFORTS TO BRING SOCIAL JUSTICE AND EQUALITY OF OPPORTUNITY TO ALL.

THERE HAVE BEEN NO SUBSTANTIATED CHARGES OF HUMAN RIGHTS VIOLATIONS DURING PRESIDENT TOLBERT'S TERM OF

OFFICE. END SUMMARY.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING
FREEDOM FROM

(A) TORTURE

TORTURE IS NEITHER SANCTIONED NOR PRACTICED IN LIBERIA.

(B) CRUEL, INHUMAN OR DEGRADING TREATMENT OF
PUNISHMENT.

THE GOVERNMENT DOES NOT COUNTENANCE ARBITRARY DEPRIVATION OF LIFE OR INVOLUNTARY SERVITUDE. WHILE PUBLIC FLOGGING OF CONVICTED THIEVES IS A LEGALLY APPROVED PUNISHMENT, TO THE EMBASSY'S KNOWLEDGE, THERE HAS NOT BEEN SUCH A FLOGGING SINCE EARLY 1977. PRISON CONDITIONS, WHICH WERE ABYSMAL DURING THE FIRST HALF OF THIS CENTURY, HAVE IMPROVED MARKEDLY. AN ASSISTANT MINISTER OF JUSTICE HEADS A REHABILITATION EFFORT WHICH WORKS TO PROMOTE VOCATIONAL TRAINING. RELIGIOUS GROUPS WORK WITHIN THE PRISONS FOR THE SPIRITUAL AND MORAL UPLIFTMENT OF PRISONERS AND CONSIDERABLE LATITUDE IS ALLOWED FOR FRIENDS AND RELATIVES TO VISIT AND BRING SUPPLEMENTARY FOOD ITEMS.

(C) ARBITRARY ARREST OR IMPRISONMENT.

ARBITRARY ARREST OR IMPRISONMENT HAS NOT TAKEN PLACE IN RECENT YEARS. THERE ARE NO KNOWN POLITICAL PRISONERS IN LIMITED OFFICIAL USE

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LIBERIA. THERE IS NO PROVISION IN THE PENAL CODE FOR PREVENTIVE DETENTION. THE EMERGENCY POWERS ACT, WHICH PERMITTED THE SUSPENSION OF HABEUS CORPUS FOR CERTAIN CRIMINAL OFFENSES, WAS ALLOWED TO LAPSE THIS YEAR.

(D) DENIAL OF A FAIR, PUBLIC TRIAL.

ACCESS TO THE PROTECTION OF THE LEGAL SYSTEM IS AVAILABLE TO ALL. LIBERIA IS IN THE PROCESS OF DRAFTING A NEW PENAL CODE. THE NET EFFECT OF THOSE PROVISIONS ADOPTED TO DATE HAS BEEN TO LIBERALIZE OUTDATED RESTRAINTS ON INDIVIDUAL FREEDOM AND TO RATIONALIZE FURTHER THE EXISTING TRIBAL AND GOVERNMENTAL LAW SYSTEMS.

(E) INVASION OF THE HOME.

THERE ARE NO REPORTS EXTANT OF ANY ALLEGED INSTANCES OF INVASION OF THE HOME.

2. GOVERNMENT POLICIES RELATING TO THE FULFILLMENT OF
BASIC NEEDS FOR FOOD, SHELTER, HEALTH CARE AND EDUCATION.

UNDER PRESIDENT TOLBERT'S LEADERSHIP, THE GOVERNMENT OF LIBERIA HAS BEEN STRONGLY COMMITTED TO EXTENDING DIRECT

ASSISTANCE TO THE COUNTRY'S POOR. DURING THE 70'S, THE NATIONAL BUDGET HAS BEEN STRUCTURED TOWARD THIS END. WHILE OPERATING WITH LIMITATIONS IN AVAILABLE RESOURCES, THE GOVERNMENT HAS EXTENDED DELIVERY OF HEALTH CARE AND EDUCATION SERVICES AND HAS BEGUN SEVERAL AMBITIOUS URBAN HOUSING PROJECTS. IT AIMS AT A MARKED GROWTH IN AGRICULTURAL PRODUCTION, CONCENTRATING ON A GOAL OF SELF-SUFFICIENCY IN RICE BY 1980 AND ON CASH CROPPING OF RICE, RUBBER, PALM OIL, COFFEE AND COCOA STIMULATED BY SUPPORT FROM STATE MARKETING CORPORATIONS. THE GOVERNMENT IS MAKING STRENUOUS EFFORTS TO IMPROVE ITS PROGRESSIVE INCOME TAX COLLECTION SYSTEM, WITH SOME MEASURE OF SUCCESS. AS THE PRIVILEGED FEW PAY MORE OF THEIR INCOME TAX BURDEN, PUBLIC REVENUES INCREASE AND GREATER RESOURCES ARE AVAILABLE FOR OFFICIAL USE

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ABLE FOR DEVELOPMENTAL PURPOSES. THE REGRESSIVE AUSTERITY TAX HAS BEEN REPEALED.

THE EFFORTS OF THE GOVERNMENT TO DELIVER SERVICES TO THE POOR ARE HAMPERED SOMEWHAT BY A PERSISTENT PATTERN OF CORRUPTION. WHILE THE MORE FLAGRANT ABUSES OF THE PAST ERA HAVE LARGELY BEEN ELIMINATED, THE PURSUIT OF OUTSIDE, PRIVATE OCCUPATIONS BY SOME OFFICE HOLDERS AND CIVIL SERVANTS HAS THE EFFECT OF REDUCING THE GOVERNMENT'S EFFICIENCY AND THE ABILITY OF POLICY-MAKERS TO MAKE DISINTERESTED JUDGEMENTS. THE PRESIDENT IS ATTEMPTING TO ALTER THESE LONG ESTABLISHED PRACTICES AND HAS TAKEN ACTION AGAINST THE MORE VENAL OFFENDERS.

3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES.

(A) FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION AND ASSEMBLY.

THESE FREEDOMS ARE CONSTITUTIONALLY GUARANTEED AND OBSERVED IN PRACTICE. THE GOVERNMENT ATTITUDE TOWARD LABOR HAS BEEN GENERALLY BENEVOLENT. LIBERIA HAS BEEN AN ACTIVE SUPPORTER OF TRIPARTISANISM AND AN ENERGETIC MODERATE VOICE IN THE ILO. THE LEGAL PROHIBITION AGAINST THE ORGANIZATION OF AGRICULTURAL WORKERS BY INDUSTRIAL LABOR UNIONS HAS BEEN THE SOLE AREA OF CRITICISM OF GOVERNMENTAL LABOR POLICY.

(B) FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL AND EMIGRATION.

THERE ARE NO RESTRICTIONS ON MOVEMENT WITHIN THE COUNTRY AND REGULATIONS GOVERNING TRAVEL ABROAD ARE MINIMAL. LIBERIA'S EMIGRATION POLICIES ARE FREE AND LIBERAL. LIMITED OFFICIAL USE

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(C) DEMOCRATIC PROCESS ASSURING THE FREEDOM

TO PARTICIPATE IN THE POLITICAL PROCESS.

THE DEMOCRATIC PROCESS IS OPEN TO ALL WHO MEET THE AGE AND CITIZENSHIP REQUIREMENTS. SINCE THE LATE NINETEENTH CENTURY, LIBERIA HAS BEEN GOVERNED BY PARTISANS OF THE TRUE WHIG PARTY. THERE ARE, AT PRESENT, NO OTHER REGISTERED NATIONAL PARTIES, ALTHOUGH OPPOSITION GROUPS EXIST, FUNCTION FREELY AND PLANS ARE BEING ACTIVELY PURSUED TO REGISTER AN OPPOSITION PARTY. MANY OPPOSITION PARTIES HAVE EXISTED OVER THE YEARS AND THEIR ACTIVE PRESENCE HAS BEEN ACCEPTED PART OF LIBERIA'S POLITICAL TRADITION.

LIBERIA HAS AN ENVIABLE RECORD IN THE ADVANCEMENT OF WOMEN TO POSITIONS OF RESPONSIBILITY AND INFLUENCE. WOMEN ARE PRESENTLY HOLDING KEY POSITIONS IN THE CABINET (AGRICULTURE AND HEALTH), THE SENIOR LEVELS OF THE CIVIL SERVICE, THE LEGISLATURE AND THE JUDICIARY, AS WELL AS IN THE PROFESSIONAL, BUSINESS, EDUCATIONAL (ONE UNIVERSITY PRESIDENT) AND RELIGIOUS SECTORS.

THERE IS NO DISCRIMINATION PRACTICED IN LIBERIA EXCEPT FOR THE CONSTITUTIONAL LIMITATION OF CITIZENSHIP TO "PERSONS OF NEGRO DESCENT", DEFINED TO MEAN AT LEAST ONE-QUARTER NEGRO ANCESTRY. THE EFFECT OF THIS CONSTITUTIONAL PROVISION IS TO DENY CITIZENSHIP AND LAND

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OWNERSHIP TO TWO ECONOMICALLY IMPORTANT GROUPS OF RESIDENT ALIENS--THE LEBANESE AND THE INDIANS. THERE HAS BEEN SOME MOVEMENT RECENTLY TO RECONSIDER THIS MEASURE. IT SHOULD BE NOTED THAT DESPITE THIS EXCLUSION FROM CITIZENSHIP, INDIANS, AND PARTICULARLY LEBANESE, DOMINATE THE COMMERCIAL SECTION.

4. GOVERNMENT ATTITUDE AND RECORD REGARDING INTERNATIONAL AND NON-GOVERNMENT INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLATIONS.

IN THE PAST CENTURAY, LIBERIA HAS ACTIVELY COOPERATED IN INVESTIGATION OF LIBERIAN PRACTICES BY THE LEAGUE OF NATIONS AND THE INTERNATIONAL LABOR ORGANIZATION. GIVEN THESE PRECEDENTS, THE LIBERIAN GOVERNMENT WOULD PROBABLY WELCOME AN INVESTIGATION INTO HUMAN RIGHTS CONDITIONS IN LIBERIA IF CONDUCTED BY A REPUTABLE INTERNATIONAL ORGANIZATION. OF THE MAJOR INTERNATIONAL ORGANIZATIONS, NONE HAS RAISED HUMAN RIGHTS ISSUES OR CALLED FOR AN INVESTIGATION OF HUMAN RIGHTS CONDITIONS IN LIBERIA IN RECENT YEARS.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, REPORTS, POLICIES
Control Number: n/a
Copy: SINGLE
Draft Date: 13 sep 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MONROV06751
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780373-0753
Format: TEL
From: MONROVIA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780972/aaaachkr.tel
Line Count: 252
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: cd085851-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 26 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1454245
Secure: OPEN
Status: NATIVE
Subject: 1978 HUMAN RIGHTS COUNTRY REPORT SUMMARY: LIBERIA IS THE OLDEST REPUBLIC IN AFRICA. FOUNDED IN 1822 BY BLACKS SEEKING THE FUNDAMENTAL
TAGS: SHUM, LI
To: STATE
Type: TE
vdkgvkey: odb://SAS/SAS.dbo.SAS_Docs/cd085851-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014